

Translation

PATENT COOPERATION TREATY

PCT

10/089,504

6

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference T99038 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE00/03421	International filing date (day/month/year) 28 September 2000 (28.09.00)	Priority date (day/month/year) 28 September 1999 (28.09.99)
International Patent Classification (IPC) or national classification and IPC G07F 7/10		
Applicant DETEMOBIL DEUTSCHE TELEKOM MOBILNET GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>4</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 27 April 2001 (27.04.01)	Date of completion of this report 26 November 2001 (26.11.2001)
Name and mailing address of the IPEA/EP Facsimile No.	Authorized officer Telephone No.

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International application No.

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I. Basis of the report

1. This report has been drawn on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

- ☒ the international application as originally filed.
- ☐ the description, pages 2-5, as originally filed,
pages _____, filed with the demand,
pages 1, 1a, filed with the letter of 30 October 2001 (30.10.2001),
pages _____, filed with the letter of _____.
- ☐ the claims, Nos. _____, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. 1-7, filed with the letter of 30 October 2001 (30.10.2001),
Nos. _____, filed with the letter of _____.
- ☐ the drawings, sheets/fig 1/2, 2/2, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: III. 1.

The expression "no additional encryption procedures/authentication procedures are necessary" in Claims 5 and 6 is vague and unclear and leaves the reader uncertain as to the importance of the technical features concerned. The description of the *necessity* should be regarded as completely speculative. Consequently, the definition of the subject matter of the claims is not clear (PCT Article 6).

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-4, 7	YES
	Claims		NO
Inventive step (IS)	Claims	1-4, 7	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-4, 7	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: EP-A-0 917 327 (ERICSSON TELEFON AB L M) 19 May 1999
(1999-05-19)

D2: WO-A-99 33034 (GLOBAL MOBILITY SYSTEMS INC) 1 July 1999
(1999-07-01)

2. The invention relates to a method for using and charging for internet services via cellular phone.

3. Document D1 is considered to be the closest prior art with respect to the method for using and charge for internet services via cellular phone.

4. Document D1 (EP-A-0 917 327) discloses a method for charging for internet services in which the internet service provider performs the charging centrally. The service provider is provided with a special payment device which supports various payment methods and electronic monetary values and, if necessary, can convert them. The payment device receives a request for payment sent by a trader to a user. After the request for payment is authorized by the user, the corresponding amount is debited from user's account or telephone bill by the payment device and transmitted to the trader in the form of electronic monetary values.

D2 (WO-A-99/33034) teaches a method for controlling financial transactions via a \ mobile communications system in which a user can authorize and conduct payment

transactions to any given terminal of a trader (point of sale), for instance, via the user's mobile telephone. The amount to be paid is deducted from the user's account, for example, and credited to the trader.

5. The problem addressed by the present application is that of making available an alternative method for charging for internet services via a cellular phone.
6. The present application solves this problem in particular by utilizing the following features: Conducting a constant synchronization of the gateway and micropayment account; reserving a certain amount, which is authorized by the user vis-à-vis the vendor, from the payment gateway to the micropayment account and debiting the actual amount after verification, as well as deleting the reservation.
7. Neither D1 nor D2 discloses that the payment data are stored in a payment gateway. These documents also do not describe or suggest the reservation of predetermined maximum amounts with regard to a certain trader/recipient. Other existing electronic wallet applications also would not lead a person skilled in the art to the subject matter of the present application since the payment data or monetary sums in these documents are saved locally in the terminal and not in a payment gateway, as in the present application. Neither the features mentioned in point 6 nor the combination of these features are suggested by D1, D2 or by the combination of the two documents.
8. Thus the method according to Claim 1 is considered novel and inventive (PCT Article 33(2) and 33(3)).
9. Dependent Claims 2-4 and 7 define embodiments of the method for charging for internet services via cellular phone according to independent Claim 1 and should therefore be considered novel and inventive (PCT Article 33(2) and 33(3)).